

# Notice of Allowability

Application No.

09/893,687

Examiner

James H. Zurita

Applicant(s)

YIM ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE of 04/13/2007.
2. ☒ The allowed claim(s) is/are 8-12,15-19,21-41,44,45 and 47-50.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 14 April 2007 has been entered.

### ***Response to Amendment***

On 13 April 2007, Applicant amended claims 8, 9-12, 15-17, 19, 21-23, 25, 28-30, 32-34, 36-41, 44-45, 49-50 and cancelled claims 42-43 and 46.

Claims 1-7, 13-14, 20, 42-43, 46 have been cancelled during prosecution.

Claims 8-12, 15-19, 21-41, 44-45 and 47-50 are pending and are allowed.

### ***Reasons for Allowability***

Updated searches were done on the amended claims. None of the prior art of record remedies the deficiencies found in Korobkin (US 6,912,293) and Hansen (US 7,043,457).

Furthermore, neither the prior art, the nature of the problem, nor knowledge of a person having ordinary skill in the art, provide any reasonable rationale to combine prior art teachings.

closest US Prior art is Fitzgerald et al., US 7,110,966, filed 01/28/2000, issued 9/19/06, "Method for on-line selection of an air conditioning product" Also of interest is Tateishi et al, US 6,498,958, issued 24 December 2002, "Apparatus and method for calculating an air-conditioning system controlled variable"

However, neither Fitzgerald nor Tateishi provide reasonable rationale to combine prior art teachings to disclose, *inter alia*,

modeling a three dimensional (3D) image of the required air conditioning system and displaying a corresponding 3D image of the required air conditioning system on a web page;

simulating a 3D installation of the air conditioning system in a venue in which the air conditioning system is to be installed and displaying the simulated 3D installation on the web page, wherein a 3D image of the venue is generated based on

a purpose of a building, an inside volume, an estimated number of persons in a room, an inside material, a type of ventilation system, an internal structure, or a floor number on which the air conditioning system is to be installed...

closest non-patent literature is Sullivan, in *Consulting - Specifying Engineer*. Denver: **Oct 1999**. Vol. 26, Iss. 4; pg. 54, 3 pgs, downloaded from ProQuest on the Internet on 29 September 2007. However, Sullivan does not provide reasonable rationale to combine prior art teachings to disclose, *details such as*

modeling a three dimensional (3D) ... a web page;

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simulating ... displaying the simulated 3D installation on the web page,  
...receiving information required for selling the air condition system if a purchase order for the air conditioning system is received, returning to a prior step if a cancel order is received, and repeating the foregoing steps if a request for a search for alternative air conditioning systems is received.

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

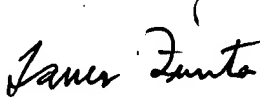
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Zurita whose telephone number is 571-272-6766. The examiner can normally be reached on 8a-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**James Zurita**  
**Primary Examiner**  
**Art Unit 3625**  
29 September 2007

  
JAMES ZURITA  
PRIMARY EXAMINER